

REMARKS

Claims 1-11 and 18-24 remain in this application. Claims 1, 7, 19 and 22-24 have been amended. Claims 12-18 and 25-34 have been cancelled without prejudice. New claims 35-37 have been added. The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

35 U.S.C. § 103 Rejection - McCrory et al. in view of Sewell et al. in view if Turek, et al.

The Examiner has rejected claims 1-11 and 13-24 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,697,962 issued to McCrory et al., (hereinafter referred to as “McCrory”) in view of U.S. Application No. 2002/0165952 issued to Sewell et al (hereinafter “Sewell”) in view of U.S. Patent No. 6,460,070 issued to Turek., et al (hereinafter “Turek”). The Applicants respectfully submit that the present claims are allowable over any combination of McCrory, Sewell and Turek.

Claim 1 recites a method comprising, “*receiving updated diagnostic procedures from the diagnostic server to maintain synchronization of the diagnostic agent process with current diagnostic procedures.*” McCrory, Sewell and Turek do not teach or suggest these limitations.

As understood by the Applicants, McCrory relates to *a remote monitoring system providing diagnostic functions to a computer system.* (Abstract).

More specifically, the portion of McCrory cited by the Examiner discloses that a diagnostic agent communicates with a monitored computer system through its communication area and determines that a memory subsystem has failed. The diagnostic agent then proceeds to communicate with a remote service center through a diagnostic agent/service center communications interface. (col. 4, lines 50-55). However, the diagnostic agent in McCrory does not update diagnostic procedures in order to keep the

diagnostic agent synchronized with the most recent procedures. Accordingly, the diagnostic agent in McCrory simply detects failures in a diagnosed system, and communicates such failures with a remote service center. In contrast, claim 1 recites that a diagnostic server maintains a centralized repository and keeps the diagnostic agents updated with the most recent diagnostic procedures. For at least these reason, Turek does not teach or suggest *“receiving updated diagnostic procedures from the diagnostic server to maintain synchronization of the diagnostic agent process with current diagnostic procedures.”*

Accordingly, for at least these reasons, claim 1 is believed to be allowable. Claims 2-6 depend from claim 1 and are believed to be allowable thereof, as well as for the recitations independently set forth therein.

Claims 7, 13 and 19 include limitations similar to those of claim 1. Therefore the applicants submit that claims 7, 13 and 19 are also allowable over any combination of McCrory, Sewell and Turek. Claims 8-11 depend from claim 7, claims 14-18 depend from claim 13, and claims 20-24 depend from claim 19, thus claims 8-11, 14-18 and 20-24 believed to be allowable thereof, as well as for the recitations independently set forth therein.

Conclusion

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicants respectfully request that the rejections be withdrawn and the claims be allowed at the earliest possible date.

Request For Telephone Interview

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

Request For An Extension Of Time

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

Charge Our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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